

SCOTT N. SCHOOLS (SC 9990)
United States Attorney
JOANN M. SWANSON (CSBN 88143)
Chief, Civil Division
MELANIE L. PROCTOR (CSBN 228971)
Melanie.Proctor@usdoj.gov
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
Telephone: (415) 436-6730
FAX: (415) 436-6927

Attorneys for Defendants¹

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JAIME LOPEZ PAEZ,) No. C 07-5240 MJJ
Plaintiff,)
v.)
MICHAEL CHERTOFF, Secretary,) OPPOSITION TO PRO HAC VICE
Department of Homeland Security; EMILIO) ADMISSION
GONZALEZ, USCIS Director; DAVID)
STILL, District Director, DHS,)
Defendants.)

Defendants hereby oppose the application by Plaintiff's counsel, Jeffrey Griffiths, for pro hac vice admission. The application appears to be in violation of Civ. L.R. 11-3(b), which disqualifies applicants who reside in the State of California or who are regularly engaged in the practice of law in the State of California. Plaintiff's counsel appears to meet both disqualification factors. Moreover, he has apparently appeared before the Northern District of California on at least seven other cases. See Abouraya v. Chertoff, No. 07-0561 JCS; Abdi v. Chertoff, No. 07-0562-EDJ; Sultanzai v. Chertoff No. 07-2289 JI; Maghsoodlou v. Chertoff 07-0237 EMC; Afsari v.

¹Defendants appear specially for the purpose of opposing Plaintiff's counsel's application for pro hac vice admission. Defendants reserve the right to assert all appropriate defenses in any responsive pleading.

1 Chertoff, No. 07-3028 MEJ; Kamrava v. Chertoff, No. 07-3946 BZ; Sedigh v. Chertoff, No. 07-5468
2 CW.

3 As explained by the Ninth Circuit, “pro hac vice refers to an attorney who is admitted
4 temporarily to practice in a jurisdiction for the purpose of participating in a particular case.” Gallo
5 v. United States Dist. Court for D. Ariz., 349 F.3d 1169, 1173 n.1 (9th Cir. 2003) (citing Blacks’
6 Law Dictionary 1227 (7th ed. 1999)). As demonstrated above, Mr. Griffiths has requested
7 admission on a number of cases. His repeated pro hac vice applications frustrate both the local rule
8 and the California Business & Professions Code. See Civ. L. R. 11-3(b); Cal. Bus. & Prof. Code
9 § 6125. Defendants respectfully request the Court to deny Mr. Griffiths’ application.

10 Dated: October 30, 2007

Respectfully submitted,

11 SCOTT N. SCHOOLS
12 United States Attorney

13 /s/
14 MELANIE L. PROCTOR
15 Assistant U.S. Attorney
16 Attorneys for Defendants